

UNITED STATES DISTRICT COURT
for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 03, 2020

SEAN F. McAVOY, CLERK

NOE CALDERA-LAZO,
a.k.a. NOE LAZO CALDERA,

Plaintiff

v.

JOSEPH A. BRUSIC, ROBERT UDELL
and ED CAMPBELL,

Defendant

Civil Action No. 1:19-cv-03288-SAB

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the
defendant (*name*) _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus post judgment interest at the rate of _____ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____
_____ recover costs from the plaintiff (*name*) _____.

☒ other: Motion to Stay, ECF No. 3, is DENIED and this action is DISMISSED without prejudice for failure to exhaust state court remedies. See O'Sullivan v. Boerkel, 526 U.S. 838, 845 (1999). The Court certifies that, pursuant to 28 U.S.C. § 1915(a) (3), an appeal from this decision could not be taken in good faith and there is no basis upon which to issue a certificate of appealability. See 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b). A certificate of appealability is therefore DENIED.

This action was (*check one*):

☐ tried by a jury with Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision was reached.

☒ decided by Judge Stanley A. Bastian _____ on a Motion to Stay.

Date: April 3, 2020

CLERK OF COURT

SEAN F. McAVOY

s/ Sara Gore

(By) Deputy Clerk

Sara Gore